

House File 73

HOUSE FILE _____
BY L. MILLER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring an incumbent cable provider applying for a
2 certificate of franchise authority to maintain or honor
3 concessions made by the company when entering into the
4 company's original franchise agreement with the municipality.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 1319YH 83
7 rn/nh/8

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1 1 Section 1. Section 477A.2, subsection 6, Code 2009, is
2 amended to read as follows:
1 3 6. a. If a competitive cable service provider or a
1 4 competitive video service provider applies for a certificate
1 5 of franchise authority to operate within a municipality, the
1 6 incumbent cable provider may, at its discretion, apply for a
1 7 certificate of franchise authority for that same municipality.
1 8 Such application shall be automatically granted on the same
1 9 day as a competitive cable service provider or competitive
1 10 video service provider files a thirty days' notice of offering
1 11 service as required pursuant to subsection 4. The franchise
1 12 agreement with the municipality is terminated on the date the
1 13 board issues the certificate of franchise authority to an
1 14 incumbent cable provider. The terms and conditions of the
1 15 certificate of franchise authority shall be the same as the
1 16 terms and conditions of a competitive cable service provider
1 17 or a competitive video service provider pursuant to this
1 18 chapter and shall replace the terms and conditions of the
1 19 franchise agreement previously granted by the municipality.
1 20 b. Notwithstanding paragraph "a", the terms and conditions
1 21 of a certificate of franchise authority issued to an incumbent
1 22 cable provider shall reflect and maintain any agreements or
1 23 concessions made by the provider as an incentive to the
1 24 municipality to enter into the terminated franchise agreement.

EXPLANATION

1 25 This bill provides that the terms and conditions of a
1 26 certificate of franchise authority issued to an incumbent
1 27 cable provider shall reflect and maintain any agreements or
1 28 concessions made by the provider as an incentive to a
1 29 municipality to originally enter into the now=terminated
1 30 franchise agreement with the provider.
1 31 LSB 1319YH 83
1 32 rn/nh/8
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